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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

भाग III—खण्ड ३

[PART III—SECTION 3]

लघु प्रशासनों से सम्बन्धित अधिसूचनाएं

Notifications relating to Minor Administrations

"CANTONMENT BOARD, BABINA CANTONMENT

Babina Cantonment, the 10th February 1978

S.R.O. CR/Bye-Laws/78—WHEREAS the draft of bye-laws for regulating the control of Rickshaws plying for hire or kept for private use and the grant of licences to proprietors or drivers of such Rickshaws in the Cantonment of Babina was published with the Cantonment Board's Notice No. CR/Bye-laws/1182, dated the 8th September 1977 as required by sub-section (1) of section 284 of the Cantonments Act, 1924 (2 of 1924), for inviting objections and suggestions from all persons likely to be affected thereby till the 7th October 1977;

AND WHEREAS the said notice was put on the Cantonment Notice Board on the 8th September, 1977 :

AND WHEREAS no objections or suggestions were received from the public by the Cantonment Board before the said date;

AND WHEREAS the Central Government have duly approved and confirmed the said draft of the bye-laws, as required by sub-section (1) of section 284 of the said Act;

NOW, THEREFORE, in exercise of the powers conferred by clauses (25), (26) and (27) of section 282 and section 283 of the said Act, the Cantonment Board, Babina hereby makes the following bye-laws namely :—

1. *Short title and commencement*—(1) These bye-laws may be called the Babina Cantonment (Regulation and control of Plying and Licensing Rickshaws) bye-laws, 1978.
(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Definitions*—In these bye-laws, unless the context otherwise requires :—

- (a) "Cantonment" means the Cantonment of Babina;
- (b) "driver" means the person who propels a rickshaw;
- (c) "rickshaw" means a tricycle of a special type propelled by human labour for carrying passengers.

3. *Licensing authority*—The Executive Officer shall be the Licensing Officer, and any official not below the rank of Revenue Inspector authorised by the Board shall act as Licensing Inspector for the purposes of these bye-laws.

4. *Restriction on keeping rickshaw for private use without licence*—No person shall keep any rickshaw for private use or permit any rickshaw of which he is the proprietor to ply for hire within the limits of the Cantonment except under a licence granted in this behalf by the Licensing Officer.

5. *Rates of fee for rickshaw plying*—A licence referred to in bye-law 4 shall be issued by the Licensing Officer, in Form A annexed hereto on an application made by the proprietor of such rickshaw and on payment of a fee as under :—

Rates of fee.

For a rickshaw plying for hire—

- (i) Per quarter of the year or part of the quarter Rs. 10/-
- (ii) For 12 months Rs. 35/-

For a rickshaw plying for private use—

- (i) Per quarter of the year or part of the quarter Rs. 6/-

(ii) For 12 months Rs. 20/-

6. *Conditions for issuing Licences*—No licence shall be issued until the rickshaw has been approved by the Cantonment Board as complying with the following conditions namely :—
- that it is not more than 0.45 Metre in width in case of single seated rickshaw, or 0.75 Metre in case of double seated rickshaw;
 - that the licensee shall keep the rickshaw clean and in good repair;
 - that it is provided with (i) a lamp (ii) a bell (iii) solid rubber tyres or pneumatic tyres, as the case may be; and (iv) a leather or canvas hood and leather cushions;
 - that the licensee shall not carry or permit to be carried in the rickshaw more persons than the number specified in bye-law 8;
 - that the licensee shall not permit any person to solid rubber tyres or pneumatic tyres, as the case licensed for such purpose under bye-law 10;
 - that the licensee shall not demand charges in excess of the maximum charges specified in the Schedule annexed hereto;
 - that the licensee shall hire the rickshaw together with a driver to draw or propel it, to any person demanding it at any time of the day or night;
 - that the licensee shall cause to be affixed to the rickshaw in a conspicuous place the licence granted in respect of such rickshaw and a copy of the authorised table of fares printed in English and Hindi;
 - that if the licensee carries or permits to be carried in the rickshaw any person who is suffering from any infectious or contagious disease, or the corpse of any person who has died of such disease, he shall immediately after termination of his engagement for such purpose give intimation of the fact to the Executive Officer, and shall not subsequently carry any other passengers in such rickshaw whether for hire or otherwise until such rickshaw has been disinfected to the satisfaction of the said Officer and he has granted a certificate stating that it can be used without causing risk of infection;
 - that the licensee shall immediately cause to be returned to the proprietor if known, or to be deposited at the nearest Police Station any property found left in the rickshaw;
 - that the licensee shall for the purpose of inspection permit the Licensing Officer or Licensing Inspector, to enter upon the premises where any rickshaw is kept;
 - that the licensee shall produce or cause to be produced for inspection any licensed rickshaw whenever required to do so by the Licensing Officer or Licensing Inspector;
 - that for the breach of any of the conditions specified above the licence may be suspended or withdrawn by the Licensing Officer.

Provided that nothing contained in conditions (g) and (h) shall apply to rickshaw licensed for hotel keepers or rickshaw makers;

Provided further that a rickshaw kept within the adjoining Municipal limits and licensed by the Municipal Board may bring passengers from the Municipal area into Cantonment limits.

7. *Printing of Licence number on licensed rickshaw*—Licences issued under bye-law 5 shall be numbered serially and the number of the licence shall be printed in conspicuous place in English and Hindi on every licensed rickshaw.

8. *Number of persons and luggage allowed to be carried in rickshaw*—The number of the persons to be

carried shall not exceed two with 25 Kilograms of luggage.

Explanation—An adult and a child less than ten years of age, or two children each less than twelve years, shall be reckoned as one person for the purposes of this bye-law.

9. *Restriction on drawing rickshaw without licence*—No person shall draw or propel a licensed rickshaw for hire except under a licence to be granted in this behalf by the Licensing Officer.

10. *Grant of licence to draw or propel a licensed rickshaw*—A licence to draw or propel a licensed rickshaw for hire shall be issued by the Licensing Officer, in Form B annexed hereto and on payment of a fee of Rupee one per annum.

Provided that if the period during which the licence is to remain in force is not more than six months, the fee shall be charged at half of the above rate;

Provided further that the Licensing Officer may refuse to grant a licence if any person applying for licence is unfit to draw or propel a rickshaw or is under 18 years of age.

11. *Conditions for drawing or propelling licensed rickshaw*—A licence to draw or propel a licensed rickshaw for hire, shall be subject to the following conditions, namely :—

- that the licensee shall always when drawing or propelling a licensed rickshaw, carry with him his licence and shall, on demand produce it for inspection by any person hiring such rickshaw or by any Police Officer or by the Licensing Officer or Licensing Inspector;
- that the licensee shall always, when drawing or propelling a licensed rickshaw, wear on his arm the metal badge which shall be supplied to him at cost price, but not less than fifteen paise, as may be fixed by the cantonment Board, when the licence is issued to him;
- that the licensee shall always, when drawing or propelling a licensed rickshaw wear such uniform as may be specified by the Cantonment Board and shall keep it in a clean and tidy condition;
- that the licensee shall keep the licensed rickshaw of which he may be incharge, in a clean and tidy condition;
- that the licensee shall not carry or permit to be carried in the licensed rickshaw, more persons than the number specified in bye-law 8;
- that the licensee shall not draw or propel a licensed rickshaw while drunk or while suffering from any infectious or contagious disease and shall not while incharge of a licensed rickshaw make use of insulting, abusive or obscene language or gesture;
- that the licensee shall not, when waiting for passengers, keep the rickshaw anywhere in a public street except at a stand allotted for this purpose by the Cantonment Board;
- that the licensee shall not without reasonable cause (the burden of proving which shall lie upon him) refuse to give on hire or draw or propel a licensed rickshaw of which he is incharge, if any person demands it.

12. *Penalty*—Any person committing a breach of any of these bye-laws shall be punishable with fine which may extend to fifty rupees and in case of a continuing contravention, with an additional fine which may extend to five rupees for every day during which such contravention continues after conviction for the first such contravention.

FORM A

(see bye-law 5)

Outer foil
Form No.
Book No.

Licence
Babina Cantonment.
Dated _____ 19

Whereas..... has paid to the Cantonment Board the sum of Rs..... He is hereby licensed to keep or ply for hire the rickshaw described below within the Cantonment of Babina for the period from.....to.....

DESCRIPTION OF RICKSHAW

No. of rickshaw	No. of persons to be carried	Weight of luggage to be carried	Trade or licence.	Name and address of licensee.	Remarks
1	2	3	4	5	6

Signature of Licensing Officer.

This licence is granted subject to the bye-laws containing conditions, the regulation and control of rickshaw and a copy of which has been furnished by me to the licensee.

Date _____ Licensing Officer _____

Copy of the bye-laws, subject to which licence has been granted has been furnished to me with licence.

Signature (or thumb impression)
of Licence Holder.

THE SCHEDULE

Charges for the hire of licensed rickshaw.

[see bye-law 6 (f)].

The charges for waiting for every half an hour or part of half an hour, the first five minutes or the time taken by the hirer to get down and unload his luggage being ignored, shall be Rs. 0·50 Paise.

NOTE :—The charges for any distance beyond Cantonment limits may be settled by private agreement.

FORM B

(see bye-law 10)

Outer foil

Licence

Form No.

Babina Cantonment.

Book No.

Dated _____ 19

Whereas..... has paid to the Cantonment Board the sum of Rs..... He is hereby licensed to draw or propel rickshaw described below within the Cantonment of Babina for the period from..... to.....

DESCRIPTION OF RICKSHAW.

No. of Rickshaw	No. of persons to be carried	Weight of luggage to be carried	Trade of licence	Name and address of licensee	Remarks ↳ D.R.
1	2	3	4	5	6

Signature of Licensing Officer.

This licence is granted subject to the bye-laws containing conditions, the regulation and central of rickshaw and a copy of which has been furnished by me to the licensee.

Date_____

Licensing Officer.

Copy of the bye-laws, subject to which licence has been granted has been furnished to me with licence.

Signature (or thumb impression)
of Licence Holder

(File No. 12/27/C/L&C/71)

K. D. JOSHI,
Cantonment Executive Officer,
Babina Cantonment.